

REMARKS

By the present amendment, Applicants have amended Claims 31 and 47 to define the present invention with more specificity, namely, that the lipophilic fluids are selected from the group consisting of linear or cyclic siloxanes, fluorocarbons, C6 or higher diols, polyol esters, and mixtures thereof. Support for the amendments is found in the Specification (Page 5, lines 8-23) and in the original Claims as filed. The term "fabric in need of treatment" has been amended by deleting the words "in need of treatment".

No new matter has been added by this amendment.

Upon entry of this amendment, Claims 31-51 are pending.

Rejection Under 35 USC 112:

Claims 31-46 are rejected by the Examiner under 35 USC 112, second paragraph, because the term "fabric in need of treatment" is allegedly indefinite.

Said term has been amended to "fabric" by the present amendment.

Applicants respectfully submit that this rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 USC 103 over Haase in view of French '898 patent and Freeman:

Claims 31, 32, 34-38, 40-43, 46-48, 50 and 51 are rejected by the Examiner under 35 USC 103(a) as allegedly defining obvious subject matter over US 3,733,267, to Haase (hereinafter "Haase"). The Examiner asserted that Haase discloses contacting a "dry cleaning" fluid with a fabric and thereafter purifying the fluid for reuse; French Patent 2,268,898 (hereinafter "French '898 patent") discloses using a combination of lipophilic fluid, water and surfactant as a dry cleaning fluid for textile articles made of synthetic fibers; and US 4,747,960, to Freeman et al. (hereinafter "Freeman"), discloses a water absorbent material comprising a porous nonwoven sheet impregnated with a cross-linked polyacrylate. The Examiner acknowledges that Haase does not disclose the specific type of "dry cleaning" fluid and the particular water absorbent material employed by Applicants. However, the Examiner concluded that these references would have rendered the above-identified claims obvious.

Applicants respectfully traverse.

First, Applicants submit that Freeman is directed to water absorbent packet suitable for use in applications such as under sea seismic oil and gas explorations, fuels or engine oils, and dielectric fluids for electrical equipment (Col. 1, lines 12-45). As such, Freeman is directed to non-analogous art. Moreover, a person of ordinary skill in the art, looking to solve the problem relating to fabric treatments, would not have been motivated to consult the teachings of Freeman.

Therefore, Applicants respectfully submit that it is improper to rely on Freeman, either alone or in combination with other references, in the obviousness rejection of the present claims relating to fabric treatments. For this reason alone, Applicants submit that the present rejection should be withdrawn.

Further, even if, despite the impropriety stated above, Freeman is considered, the motivation to combine Haase and Freeman can only be found in the engine oil application (See Haase, Col. 6, lines 9-23; and Freeman, Col. 1, lines 12-45). A person of ordinary skill in the art, looking to solve the problem directed to fabric treatments, would not have been motivated to combine the teachings of Haase and Freeman.

Additionally, Applicants respectfully submit that, despite the impropriety of relying on Freeman as a reference and the lack of motivation to combine Freeman with Haase to solve the problem directed to fabric treatments, Claims 31, 32, 34-38, 40-43, 46-48, 50 and 51 are not rendered obvious over Haase in view of French '898 patent and Freeman. These references, alone or in combination, fail to teach or suggest each and every element of the invention as claimed in Claims 31, 32, 34-38, 40-43, 46-48, 50 and 51. More particularly, the cited references fail to teach the specific lipophilic fluids to be used with water to treat fabrics, and the removal of water from said specific lipophilic fluid using specific absorbent materials.

Applicants respectfully submit that this rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 USC 103 over Haase in view of French '898 patent and Freeman, further in view of Hou:

Claims 33 and 49 are rejected by the Examiner under 35 USC 103(a) as allegedly defining obvious subject matter over Haase, French '898 Patent and Freeman, discussed above, further in view of U.S. Patent No. 4,309,247 to Hou et al. (hereinafter "Hou"). The Examiner asserts that Haase discloses the claimed invention with the exception of the recited spacer material. The Examiner attempts to combine the teachings of Hou, which disclose a filter sheet comprising clay, activated carbon, polystyrene and/or polyethylene, with Haase, French '898 patent and Freeman to render Claims 33 and 49 obvious.

Applicants respectfully traverse.

Applicants submit that, as discussed above, it is improper to consider Freeman; and even if Freeman is considered and combined with Haase and French '898 patent, the combination fail to teach or suggest each and every element of the invention as claimed in the independent Claims 31 and 47. Namely, the references fail to teach the specific lipophilic fluids to be used with water to treat fabrics, and the removal of water from said specific lipophilic fluid using specific absorbent materials. The teaching of Hou does not cure these

deficiencies. Thus, the independent Claims 31 and 47 are not rendered obvious by the combination of references relied on by the Examiner here.

Since Claims 33 and 49 are dependent claims of Claims 31 and 47, respectively, Claims 33 and 49 include all the limitations of the independent claims they relate to. Thus, Claims 33 and 49 are not rendered obvious by the present combination of references, for reason stated above.

Applicants respectfully submit that this rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 USC 103 over Haase in view of French '898 patent and Freeman, further in view of Segall:

Claim 39 is rejected by the Examiner under 35 USC 103 as allegedly defining obvious subject matter over Haase, French '898 patent and Freeman, discussed above, further in view of U.S. 3,441,501 to Segall et al. (hereinafter "Segall"). The Examiner attempts to combine the teachings of Segall, which disclose regenerating a water absorbent material in the recited manner, with the above cited references to render Claim 39 obvious.

Applicants respectfully traverse.

Applicants submit that, as discussed above, it is improper to consider Freeman; and even if Freeman is considered and combined with Haase and French '898 patent, the combination fail to teach or suggest each and every element of the invention as claimed in the independent Claim 31. Namely, the cited references fail to teach the specific lipophilic fluids to be used with water to treat fabrics, and the removal of water from said specific lipophilic fluid using specific absorbent materials. The teaching of Segall does not cure these deficiencies. Thus, the independent Claim 31 is not rendered obvious by the combination of references relied on by the Examiner here.

Since Claim 39 is a dependent claim of Claim 31, Claim 39 includes all the limitations of the independent claim it relates to. Thus, Claim 39 is not rendered obvious by the present combination of references, for reason stated above.

Applicants respectfully submit that this rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 USC 103 over Haase in view of French '898 patent and Freeman, further in view of Kasprzak:

Claims 44 and 45 are rejected by the Examiner under 35 USC 103 as allegedly defining obvious subject matter over Haase, French '898 patent and Freeman, discussed above, further in view of U.S. 4685,930 to Kasprzak (hereinafter "Kasprzak"). The Examiner attempts to combine the teachings of Kasprzak, which disclose

decamethylcyclopentasiloxane, with Haase, French '898 patent and Freeman to render Claims 44 and 45 obvious.

Applicants respectfully tranverse.

Applicants submit that, as discussed above, it is improper to consider Freeman; and the combination of Haase, French '898 patent, and Kasprzak fails to teach or suggest each and every element of the invention as claimed in the independent Claim 31. Namely, the cited references fail to teach the removal of water from specific lipophilic fluid using specific absorbent materials. Since Claims 44 and 45 are dependent claims of Claim 31, they include all the limitations of the independent Claim 31. Thus, Claims 44 and 45 are not rendered obvious by the present combination of references.

Applicants respectfully submit that this rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

CONCLUSION

Applicants have made an earnest effort to place the present claims in condition for allowance. WHEREFORE, entry of the amendments provided herewith, reconsideration of the claims as amended in light of the Remarks provided, withdrawal of the claims rejections, and allowance of Claims 31-51 are respectfully requested.

In the event that issues remain prior to allowance of the noted claims, the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitte
For: EHRNSPERGER ET AL.

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